

1 THE HONORABLE JOHN C. COUGHENOUR

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 CLAIRCOM DE MEXICO, S.A. DE C.V., a)
Mexican corporation,)
11)
Plaintiff,)
12)
v.)
13 AT&T WIRELESS SERVICES, INC. (n/k/a)
NEW CINGULAR WIRELESS SERVICES,)
14 INC.),)
15 Defendant.)
_____)

No. 2:05-CV-01045-JCC

**PLAINTIFF CLAIRCOM DE
MEXICO'S FRCP 26(a) INITIAL
DISCLOSURES**

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17 COMES NOW plaintiff, CLAIRCOM DE MEXICO, S.A. DE C.V. ("CDM"), by and
18 through counsel, John S. Devlin of Lane Powell PC, and submits its Initial Disclosures in
19 accordance with Fed. R. Civ. P. 26(a)(1):

20 A. Identity of Individuals Likely to Have Discoverable Information At this time, CDM
21 identifies the following individuals who are likely to have discoverable information that CDM
22 may use to support its claims (unless solely for impeachment):

23 1. Benito T. Ohara (CDM), c/o John S. Devlin, Lane Powell PC, 1420 Fifth Ave.,
24 Suite 4100, Seattle, WA 98101-2338; Ph. (206) 223-7000 (Liability and damages issues);
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2. Alejandro Hernandez (CDM), c/o John S. Devlin, Lane Powell PC, 1420 Fifth Ave., Suite 4100, Seattle, WA 98101-2338; Ph. (206) 223-7000 (Liability and damages issues);

3. John Rogers, Esq. (Prior CDM Counsel), c/o John S. Devlin, Lane Powell PC, 1420 Fifth Ave., Suite 4100, Seattle, WA 98101-2338; Ph. (206) 223-7000 (Liability issues);

4. All potential witnesses identified by Defendant;

5. Any necessary rebuttal witnesses;

6. Discovery has just begun, and may reveal additional information concerning witnesses. CDM reserves the right to supplement this disclosure as necessary.

B. Documents/Photographs. The following is a description by category of all documents that are in CDM's care, custody, and control that may be used to support CDM's claims:

1. Documents previously provided by Defendant's counsel to CDM's counsel;

2. Correspondence between the Parties derived from the subject Joint Venture Agreement;

3. Correspondence between the Parties related to SCT license issues;

4. Joint Venture Agreement Documents;

5. Discovery has just begun, and may reveal additional information concerning responsive items. CDM reserves the right to supplement this disclosure as necessary. All responsive documents are available for review and/or copying at a mutually convenient time at the offices CDM's Seattle counsel.

C. Damages. The exact amount of damages CDM will claim at trial is yet to be determined, but will consist of at least one unpaid quarterly NCF payment and associated liquidated damages, exceeding \$1,000,000.00, as allowed under the subject Joint Venture Agreement.

PLAINTIFF CLAIRCOM DE MEXICO'S FRCP 26(a)

INITIAL DISCLOSURES - 2

Case No. 2:05-CV-01045-JCC

119990.0001/1241850.1

LANE POWELL PC
1420 5TH AVENUE, SUITE 4100
SEATTLE, WASHINGTON 98101-2338
(206) 223-7000

1 Discovery has just begun, and may reveal additional information concerning damages,
2 including possible non-payment of cross-border revenues, and additional responsive items.
3 CDM reserves the right to supplement this disclosure as necessary.

4 D. Insurance. Not applicable.

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6 DATED this 17th day of October, 2005.

7 LANE POWELL PC

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9 By s/John S. Devlin
10 John S. Devlin III, WSBA No. 23988
11 James B. Stoetzer, WSBA No. 06298
12 John Schochet, WSBA No. 35869
13 Attorneys for CLAIRCOM DE MEXICO, S.A.
14 DE C.V.
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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on October 17, 2005, I caused the foregoing **FRCP 7.1(a)**
3 **DISCLOSURE STATEMENT OF CLAIRCOM DE MEXICO, S.A. DE C.V.** to be:

4 ☒ electronically filed with the Clerk of the Court using the CM/ECF system which will
5 send notification of such filing to the following:

6 Scott A.W. Johnson
scott.johnson@stokeslaw.com

7 ☐ mailed by first class United States mail, postage prepaid, to the following
8 non-CM/ECF participants:

9
10 ☐ hand delivered to the following non-CM/ECF participants:

11
12
13 ☐ e-mailed and mailed by first class United States mail, postage prepaid, to the following
14 non-CM/ECF participants:

15
16 ☐ faxed and mailed by first class United States mail, postage prepaid, to the following
17 non-CM/ECF participants:

18
19 /s/Leah Burrus
20 Leah Burrus

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PLAINTIFF CLAIRCOM DE MEXICO'S FRCP 26(a)
INITIAL DISCLOSURES - 4
Case No. 2:05-CV-01045-JCC
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